

YOUR TOWN HALL

KNOWN ACTION ITEMS

There were four resolutions on the agenda, numbered 10-157, 10-158, 10-159 and 10-160. Resolution 10-160 was removed and not voted upon. The title of the resolution is Resolution Authorizing Place to Place Transfer Walter Mihm's Steakhouse.

Committeeman Byrnes requested that Resolution 10-159 be pulled for a separate vote.

Resolutions 10-157 and 10-158 passed with a vote of 5-0. Resolution 10-159 passed with a vote of 4-1 with Committeeman Byrnes voting no.

A new ordinance, 2010-3008, was introduced with all Committee members voting for its introduction. The title of this ordinance is Ordinance Amending Section § 127-21 Of The Code Of The Township Of Middletown (1996) Governing Copying Fees Associated With Public Records Requests Pursuant To Recent Court Decisions.

Before the vote of introduction Committeeman Byrnes requested that the method for calculating the fees be posted on the Township website. This way the public can see how the fees are determined.

Township Attorney, Brian Nelson, stated that this ordinance was not work shopped because it is due by July 1st. He said that rates in the statute were being used and challenged by some in the courts. He said that we are only permitted to change actual costs. The Government Records Council came out with a formula to compute costs. Committeeman Byrnes submitted the change he requested regarding the method for calculating fees be posted. Mr. Nelson then read the change asked for objections. There were no objections from the other Committee members so the ordinance was introduced as read with the changes. There will be a public hearing and vote on this ordinance at the June 21 Township Committee meeting.

The agenda for the June 21 Committee meeting was read and discussion items were addressed. Among the agenda items are public hearings for ordinances 2010-3006, a mandatory recycling ordinance and 2010-3007 amending the requirement of emergency organizations to file financial information to the Township.

ITEMS FOR DISCUSSION

Discussion items are issues that the Committee or Administrator feels to incorporate into a resolution or ordinance. If the Committee members approve then the discussion item will become a resolution or ordinance at the next meeting.

No comments were provided by the Committee on items a thru c.

d – Township Administrator, Tony Mercantante, said that homeowners in the Cottage Gate development registered to be removed from the garbage district and that they will provide their own garbage collection. This will reduce costs to the township because 105 units will be removed. Committeewoman Brightbill asked for reasons why they want to be removed and Mr. Mercantante said that the garbage trucks could not fit down the streets and are destroying the curbs while making turns at the corners.

e – Mr. Mercantante said this will allow the police to enforce DEP regulations covering excessive idling (3 minutes) and it will generate sustainable energy points.

f - Sean Byrnes was glad that this is on the agenda and thanked the Committee for allowing it. This is a resolution that Mr. Byrnes proposed at the last two Committee meetings and was met with opposition. He could not get a second to bring it to a vote at those meetings.

Committeewoman Brightbill wanted to know who would be on this budget committee. Mr. Byrnes said the task was to have the Township and Board of Education (BOE) administrators provide recommendations on how to share services between the two bodies. This Budget Advisory Committee would consist of 2

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Township Committee members, 3 BOE members and 2 members of the community with strong financial experience. Mr. Nelson agreed that the BOE and the Township would provide a member from the public. Mrs. Brightbill wanted to know if Mr. Byrnes went to the BOE for agreement and he said that those he spoke with were highly in favor of this.

g – Mr. Nelson said the Township Planner suggested this ordinance to conform to the county and state waste water management program and regulations. Township Planner, Jason Greenspan, needs to evaluate it so it conforms to the affordable housing plan and land use codes in Middletown. Mr. Byrnes had two concerns. The first concerned the Category 1 buffer of 300ft. around streams and water ways and the methods in which builders can get around the requirement. Mr. Mercantante said that was already in place and the builder would have to go to the DEP and get a special permit to build in that zone. Mr. Byrnes second concern was if there was another way around this besides going in front of the Zoning Board because as it is written it has a variance provision written into it. Mr. Nelson said that the variance provision might remain, but the Planner has to review it. Mr. Mercantante said that the water ways include small streams and tributaries that feed into the rivers and that there are many of these throughout the Township. The State wants towns to adopt DEP regulations to reduce litigation at state level and reduce the size of the DEP at the State level.

h - No comments from the Committee.

i – The Assistant Clerk read that on June 21 the liquor license renewals will be put through. She said that there are four licenses that have not submitted their application and they will expire and will have to get interim permits.

j – Mr. Mercantante said the list for new street names is down to one or two streets and contractors are wondering what will come next. He said they will have to make sure there are no duplicates and it is something to consider for the

future. Mr. Mercantante suggested that the town reach out to 9-11 families to see if they would like to have a street named for their lost loved one.

k – Mr. Nelson said they discussed this last year and some changes were made to the existing policy. It defines the types of representation provided to employees and the types of insurance the town will cover if an employee is sued. Committeeman Byrnes said the ordinance gives the Administrator responsibility to decide who gets representation. He said larger cases should come in front of the Township Committee. Mr. Nelson said that most towns have this documented to provide guidance to the Administrator and governing body. He said it would be hard to establish a threshold because potential liability is hard to determine at the early stages when a decision like this would take place. Mr. Mercantante said that maybe it should include wording that a consultation with the Committee could take place so the Administrator can make the initial decision.

l – Mr. Mercantante said there had been a complaint to clean some streams out, but that permission is needed from the County Mosquito Commission to remove vegetation.

m - thru q. No Committee comments were made regarding these items.

r – Committeeman Byrnes questioned if the fees for this attorney will be larger this year. The Administrator said some applications were filed and we need to appoint someone because this was not thought to be a need in January. Mr. Byrnes said \$20K is a lot to put down and don't anticipate reaching. He said there should be a threshold trigger to let the attorney know that his limit is getting close. Mr. Nelson said that most of the work has been done in house so far but some major legal work still needs to be done.

s - No comments from the Committee.

t – Mr. Byrnes asked Township Public Works Director, Ted Maloney, to explain what portion of the overall costs is covered. Mr. Maloney

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said there are three contracts and one needs to be extended another year. He said that this contractor is fully equipped and is beneficial to keep him on. Mr. Maloney said that this contractor was separate from the experimental, one zone contracts from last year. Mr. Byrnes asked if there are any results from the experiment. Mr. Mercantante said that they are putting together a Request For Proposal (RFP) to contract the whole town with leaf and brush collection, but they are not sure if there are enough contractors in town to cover all of the collections.

u - No comments.

Committeeman Fiore commented that at the last workshop meeting there was discussion about tax collection and wanted to know if there was a resolution being drafted to cover this discussion. Committeewoman Brightbill said that the resolution was voted on that evening during the consent agenda and is numbered 10-158.

The Mayor said he wanted a resolution in support of State Assembly bill A531 at next meeting. It is a bill that subjects union contributions into political campaigns under pay to play. He also asked if Mr. Nelson would look into a veteran affairs committee. The Mayor wants to take a model of another committee and tailor it so that it applies to Middletown.

COMMITTEE COMMENTS

Committeeman Byrnes said that he and Committeewoman Brightbill went to the Library Board to talk about how budget cuts are affecting the Township. They discussed that even though the Library has a protected stream of funding they should still do their best to tighten their belts. Included in their discussion was a need for some collaboration with the Arts Center. Maggie O'Brien later accompanied them at the Arts Center and gave them a tour. The Arts Center is much busier than he thought but they still see many similarities and should focus on opportunities that complement each

other and create more revenue and minimize expenses. Mr. Byrnes said that he and the Mayor went to the Little League Parade in River Plaza on Sunday. Mr. Byrnes went on to say that they couldn't get a quorum on the budget and it makes sense to get as much information as possible out beforehand. He is in favor of getting information out to the public so that the public can develop some discussion with the Committee.

Committeeman Massell said that the brush pickup seems to be getting there but there is still a long way to go. He said it would be good if daily updates were posted on where the collection process is at. Ted Maloney said that zones J & L haven't even been touched because there is an excessive amount to collect and is slowing the process down. Steve wanted to know if a daily deadline was set to get accomplished. Mr. Maloney said there is no way to gauge how much is on each street. Committeewoman Brightbill said that she has never seen brush on her street before. Committeeman Fiore said there are more than two zones on the website and MR. Maloney explained that the other zones that are listed are the zones that they are currently working on. Mr. Mercantante stated that he gets an update daily which he will forward to the Committee. Mr. Massell then asked about painting the (welcome to Middletown) signs and Mr. Maloney said that some signs are missing and inventory needs to be taken to find out the needs. Plus, they are looking to match the colors. Mrs. Brightbill said that she and Mr. Massell will be doing the painting. Mr. Massell said that the Pool Club membership is down and was looking for a status of the membership and the marketing practices in promoting it. Parks & Recreation Director Greg Silva said that the membership numbers are about 24 members short of last years' enrollment. He said they are placing more ads in the paper and will be sending cards to former members. Mr. Massell

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then commented that it was an honor to march in his first Memorial Day Parade.

Committeewoman Brightbill followed up on Mr. Byrnes' Library comments. She said the library doesn't have to consider cuts like the Township does because of the funding mechanism that it enjoys. She also said summer concerts might be in jeopardy along with other community events. They suggested that the Library sponsor/host a concert and they agreed. Greg Silva said the Arts Center met with the Library and they both agreed to work to avoid duplication in programming. This is an issue that Mr. Byrnes has been advocating for this year at many of the Committee meetings. Mrs. Brightbill then said it is a good thing that everyone is starting to work together. She said that this Saturday Poricy Park is having a Tavern Party fundraiser for the conservancy that runs the park. Also, June 15th is Middletown Day at Blue Claws stadium for M.Y.A.A. and Veteran's Appreciation Day too.

Committeeman Fiore said there is much more brush than normal because of the storms, but it was never really completed collecting until June 1st anyway. He said that he doesn't want to see brush out in August. He would like to eliminate Spring leaf and Fall brush collection altogether and would better utilize better services for Public Works. He agreed with Mr. Byrnes and Mrs. Brightbill about Library funding and was concerned about duplication of programs. He is happy that there is finally some coordination between the Arts Center and the Library about the programming. Mr. Fiore also said the Memorial Day Parade was fantastic and he thanked all the participants.

Mayor Scharfenberger explained that the Library funding is tied to the real estate values in town and has no bearing on the Library itself. He said there is a bill in the League of Municipalities that would release this requirement. The Mayor said he met with a solar company and that 6 to 7 buildings are good for installing panels on. A problem is the

condition of the roofs. If a roof is older than 7 years old it should be replaced before panels are installed which adds to the cost and time to complete the installation. He said that there should be a plan in place by the end of the summer for solar panel installations. He went on to say that the state budget is being "duked" out and that hopefully the toolbox will be passed before July. The Mayor said someone in Shady Oaks commented to him, at a public meeting there, that the nicest people work for the town. As for Navesink River Road, the County found more damage than anticipated and the County wants to fix it right the first time. He said it was a phenomenal Memorial Day Parade. There were new marchers this year like Tea Party, who are a great group of folks and it was good to see them marching. He said that it was Americana walking by.

PUBLIC COMMENTS

Jim Grenafege asked how many layoffs there were and what the process was in making the determination in whom to layoff. He asked why the Township was voting on a resolution to support a 2.5% budget cap when the Township was looking to exceed a 4% cap that is currently in place. The Mayor responded saying that the 2.5% cap is in the toolbox and will be on the ballot in November for decision. The Mayor said there are 32 proposals that will allow the budget to come in under 2.5% however the 2.5% cap will not come into play this year. Mr. Grenafege asked about the police increases over last 3 years. He wanted the increases clarified for the recently resolved contract. Mr. Mercantante said it was an increase of 3.85% for half of '08 and '09 and 0% for 2010. He said that he did not have the costs with him, but it has to be factored into the current budget. Mr. Mercantante also said the layoff procedures follow the policy of the State Civil Service Commission. He said that June 4th was the last day of work for 16 employees.

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Jeff Blumengold asked if brush put out to be picked up was to be on the sidewalk and not in gutter. Mr. Maloney stated that he ordinance says that it should be put behind the sidewalk. Mr. Blumengold stated that he sees brush in the gutter and what happens is the ability of cars and pedestrians moving through the streets are greatly compromised. He said that we might have an education issue and it should be looked at to do something about it because it has dragged on for far too long. Jeff then asked for an update on COAH because as he understood from the last meeting, that it was a done deal by the end of May. The Mayor said he thinks that something is coming up soon. Mr. Nelson said legislation S1 is going through the Senate but there have been amendments posted to it. The Assembly will take it up on June 10th. He added that there will be challenges in the courts by certain groups but hopefully it will be adopted by July 1st. However he can only guess when it will pass so we are under the same rules as last year. Mr. Nelson said even though it is progressing, it is not as strong as the original bill and no Regional Contribution Agreements (RCA's) are included. Mr. Blumengold then asked about the Avaya property and if the zoning remains as it was rezoned last year. He also wanted to know if any plans to develop the property were submitted by the owner since the last meeting or if the Township knows of any activity that is taking place on the property regarding development. The Mayor responded by saying that the meeting had to move on with other members of the public. Mr. Blumengold stated that he hardly spoke to which the Mayor responded that he could have his questions answered after the meeting. Mr. Blumengold stated that he would not stay after. Resolution 10-48 allows recognized members of the public to speak for a maximum of 5 minutes.

Don Watson said that he liked the discussion about the leaf and brush collection and he thought that Mr. Maloney's idea of collecting both at the same time made a lot of

sense. The Mayor responded by saying that that was the reason why the collection was taking so long. Mr. Watson said that this method reduces the number of trips through every neighborhood each season and that there was a large amount of brush due to the severe storms this year. He also made comment about zoning changes and having residents going to the Zoning Board to obtain variances. Mr. Watson said that variances should not be granted and current zoning laws should be upheld. He said that variances produce overdevelopment. The Mayor said that that was not true because they do not grant many variances. The Mayor said that he was on the Zoning Board for two years and they are fairly strict and conservative. He said they reign in overdevelopment and not accelerate it. Mr. Watson said that the Zoning Board agenda always has property owners applying for variances and they are being granted. He said that property subdivisions are also being granted which generates overdevelopment. Mr. Byrnes said that in the materials for this meeting it stated that for every 2 variances that are granted there is one that is denied. Mr. Watson also asked for some follow up to Mr. Blumengold's question on the activity at the Avaya property. Mr. Mercantante said that they don't know any more than what the public knows. He said that no application has been submitted yet, but one could be submitted tomorrow.

Andrew Bane said this was the first time that all 5 Committee members were in the Memorial Day Parade. He expressed appreciation for the replacement on the Bayshore Housing Authority and how it was needed for the past couple of months. Andrew asked if we have a specific solar panel company that they are dealing with. The Mayor said it has to go out to bid, but they are looking into it and are getting closer to doing something.

After seeing that no more members of the public came to speak the meeting was adjourned.

*If you have any questions regarding
this agenda please contact the
Township Clerk at 732-615-2014*



**Township of Middletown
Town Hall- Conference Room
One Kings Highway
Middletown, NJ 07748**

JUNE 7, 2010 – WORKSHOP MEETING

1. MEETING OPENS AT 7:00 P.M. - MEETING STATEMENT:

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press, The Star Ledger, The Independent, and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 8, 2010.

2. 7:00 P.M. EXECUTIVE SESSION

3. MEETING OPENS AT 8:00 P.M. - MEETING STATEMENT:

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press, The Star Ledger, The Independent, and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 8, 2010.

4. ROLL CALL

Committeewoman Brightbill _____ Committeeman Byrnes _____

Committeeman Fiore _____ Committeeman Massell _____

Mayor Scharfenberger _____

5. PLEDGE OF ALLEGIANCE

- a. Moment of Silence to Honor the Troops Serving World Wide Defending our Freedoms and Way of Life.

6. KNOWN ACTION ITEMS

10-157 Resolution Authorizing Cancellation of Taxes (Royer Property)
10-158 Resolution Amending Resolution 10-49 Authorizing The Imposition Of A Six Percent Penalty On All Delinquent Taxes Of \$10,000.00
10-159 Resolution Authorizing Temporary Emergency Appropriations
10-160 Resolution Authorizing Place to Place Transfer Walter Mihm's Steakhouse
Introduction 2010-3008 Ordinance Amending Section § 127-21 Of The Code Of The Township Of Middletown (1996) Governing Copying Fees Associated With Public Records Requests Pursuant To Recent Court Decisions

JUNE 7, 2010 – WORKSHOP MEETING

REGULAR AGENDA FOR JUNE 21, 2010

7. CERTIFICATE OF APPRECIATION/PROCLAMATION
 - a. Employee of the Month April 2010
 - b. Employee of the Month May 2010
 - c. Recognition of Middletown Special Olympics Team
 - d. Recognition of Bayshore Village Senior Housing Corp. Commissioner Marge Kempson
 - e. Recognition of Public Works Employee Richard Reeves for 40 Years of Service
 - f. Recognition of Retirement Community Development Employee Adelaide Coslian
8. MINUTES
 - a. April 19, 2010 Executive Session
 - b. April 19, 2010 Regular Meeting
 - c. May 3, 2010 Executive Session
 - d. May 3, 2010 Workshop Meeting
9. PUBLIC HEARING OF PROPOSED ORDINANCES
 - a. **2010-3006** Ordinance Amending Chapter 230 Of The Code Of The Township Of Middletown Updating Provisions Of Mandatory Recycling Programs In Conformance With The County Of Monmouth's NJDEP Approved Solid Waste Management Plan
 - b. **2010-3007** Ordinance Amending §§ 24-4 And 28-6 Of The Code Of The Township Of Middletown Regarding Annual Submittal Of Financial Information From Middletown Fire Companies, First Aid And Rescue Squads As Condition Of Receipt Of Financial Support
10. CONSENT AGENDA
 - a. Payment of Bills
 - b. Bingo and Raffles
 - c. Volunteer Firefighter Applications
11. **DISCUSSION FOR JUNE 7, 2010**
 - a. Release of Performance Guarantee- Schultz-Markel Office Building
 - b. Release of Performance Guarantee-St. Mary's Catholic Church
 - c. Reduction of Performance Guarantee-Browns Landing (Middletown Crossing)
 - d. Cottage Gate/Garbage District
 - e. Anti-Idling Policies
 - f. Resolution regarding a shared service commission
 - g. Riparian Zone Ordinance
 - h. Appointment of member to Bayshore Village Senior Corp-Lenore Caminiti

JUNE 7, 2010 – WORKSHOP MEETING

- i. Liquor License Renewals
 - j. List for Assigning Street Names
 - k. Indemnification for Municipal Employees
 - l. Hold Harmless Monmouth County Mosquito Commission
 - m. Police Department 2010 State and Federal Body Armor Replacement Fund Grants
 - n. Resolution Approving Funding For “2010 US Department of Justice Bulletproof Vest Partnership” BVP Program
 - o. Resolution of Support Authorizing the Sustainable Jersey Grant Application
 - p. Resolution Appointing Payroll Tax Consultant
 - q. Resolution Of The Township Of Middletown, County Of Monmouth, State Of New Jersey, Canceling Grant Balance
 - r. Resolution Awarding non-fair and open contract for professional services to Jeffrey R. Surenian & Associates, LLC as Special Affordable Housing Counsel in relation to Bamm Hollow Litigation.
 - s. Resolution endorsing Governor Chris Christie’s proposal to Place a 2.5% cap on Annual Property Tax Increases and Further endorsing the Governor’s Plan to Initiate Financial Reforms on the State and Local Levels of Government Generally Known as The Mayor’s Toolbox
 - t. Resolution authorizing extension of contract for Leaf Collection
 - u. Resolution authorizing award of contract- Police Uniforms
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- 12. TOWNSHIP COMMITTEE COMMENTS
 - 13. PUBLIC COMMENTS
 - 14. EXECUTIVE SESSION
 - 15. ADJOURNMENT

RESOLUTION NO. 10-157

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION CANCELLING TAX BALANCE ON BLOCK 815, LOT 7
DUE TO REMOVAL FROM TAX ROLLS BY TOWNSHIP ACQUISITION**

WHEREAS, the Township recently closed on Block 815, Lot 7, commonly referred to as the Penelope Lane/Royer property adjacent to the municipal complex which was authorized by the Township Committee for such acquisition in 2008; and

WHEREAS, closing of the property took place during the second quarter of 2010, the entire quarter of which was billed by the tax collector's office; and

WHEREAS, a pro-rated sum of taxes were paid by the seller at closing up to and until the date of closing, with a billed balance remaining for the rest of the quarter; and

WHEREAS, due to the Township's acquisition of the property from the date of closing, these taxes are no longer due and need to be cancelled at the request of the tax collector.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Middletown in the County of Monmouth, State of New Jersey that any remaining balance in property taxes and/or interest due for Block 815, Lot 7 as a result of the Township's acquisition of the said property are hereby cancelled in entirety.

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized and directed to cancel any remaining balances including property taxes and/or interest for Block 815, Lot 7 as identified on the Official Tax Map of the Township of Middletown due to the Township's acquisition of said property.

RESOLUTION No. 10-158
Amending Resolution 10-49

**AUTHORIZING THE IMPOSITION OF A SIX PERCENT PENALTY
ON ALL DELINQUENT TAXES OF \$10,000.00**

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non payment of taxes or assessments subject to any abatement or discount for late payment of taxes as provided by law; and

WHEREAS, the statute has been amended on the first \$1,500.00 of delinquencies and up to 18% per annum on any amount in excess of \$1,500.00 and allows for an additional penalty of up to 6% be collected against a delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that:

The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 establishing the above interest rates to be applied to taxes from the tenth day of the quarter retro active to the quarterly due date, beginning 4th quarter 2010 Taxes (November 1, 2010). If the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31, an additional penalty of 6% shall be charged against the delinquency.

Resolution No. 10-159

RESOLUTION FOR TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2010 temporary budget for the aforesaid purposes, and

WHEREAS, NJS 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2010 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$33,896,998 for the Current Fund, \$4,791,555 for the Solid Waste District, \$311,610 for the Swim Utility, and

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all members of the Township Committee of the Township of Middletown, New Jersey affirmatively concurring) that in accordance with the provisions of NJS 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the following purposes:

SEE ATTACHED EXHIBIT A

2. That said emergency temporary appropriations will be provided for in the 2010 budget under the appropriate titles.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

| Exhibit A Temporary Budget Request 6/07/2010 | | |
|--|------------------------|----------|
| Account Number | Description | Amount |
| Current Fund | | |
| 0-01-20-100-100-100 | A&E S&W | \$35,500 |
| 0-01-20-100-100-200 | A&E O&E | 1,500 |
| 0-01-20-100-101-100 | Purchasing S&W | 4,000 |
| 0-01-20-110-100-101 | Township Committee S&W | 2,900 |
| 0-01-20-120-100-100 | Township Clerk S&W | 7,100 |
| 0-01-20-120-100-200 | Township Clerk O&E | 1,000 |
| 0-01-20-130-100-100 | Finance S&W | 17,750 |
| 0-01-20-130-100-200 | Finance O&E | 1,500 |
| 0-01-20-140-100-100 | MIS - S&W | 10,000 |
| 0-01-20-140-100-200 | MIS - O&E | 7,000 |
| 0-01-20-145-100-100 | Collector - S&W | 13,700 |
| 0-01-20-145-100-200 | Collector - O&E | 4,000 |
| 0-01-20-150-100-100 | Assessor S&W | 13,600 |
| 0-01-20-150-100-200 | Assessor O&E | 250 |
| 0-01-20-155-100-200 | Legal O&E | 50,000 |
| 0-01-21-180-100-100 | Planning - S&W | 9,800 |
| 0-01-21-180-101-100 | Planning Board S&W | 200 |

| | | |
|---------------------|--|--------------------|
| 0-01-21-185-100-100 | Zoning Board - S&W | 1,050 |
| 0-01-22-195-100-100 | Inspections - S&W | 33,600 |
| 0-01-22-195-100-200 | Inspections - O&E | 10,000 |
| 0-01-23-210-100-200 | Insurance Claims | 10,000 |
| 0-01-23-215-100-200 | Workers Comp | 120,000 |
| 0-01-23-220-100-200 | Insurance Health Premiums | 630,000 |
| 0-01-23-225-100-225 | Insurance - Unemployment | 10,000 |
| 0-01-25-240-100-100 | Police S&W | 518,400 |
| 0-01-25-240-100-200 | Police O&E | 3,000 |
| 0-01-25-252-100-101 | Emergency Management S&W | 1,150 |
| 0-01-25-255-100-621 | Fire Aid Subsidy to Fire Companies | 48,800 |
| 0-01-25-260-101-621 | First Aid Subsidy to Companies | 40,000 |
| 0-01-25-265-100-100 | Fire S&W | 11,000 |
| 0-01-25-265-100-200 | Fire O&E | 5,800 |
| 0-01-25-265-101-200 | Uniform Fire Safety O&E | 250 |
| 0-01-25-445-100-200 | Fire Hydrant Services | 60,000 |
| 0-01-25-275-100-100 | Prosecutor S&W | 3,200 |
| 0-01-26-290-100-100 | Streets & Roads - S&W | 85,000 |
| 0-01-26-290-100-200 | Streets & Roads - O&E | 131,000 |
| 0-01-26-305-100-100 | Recycling S&W | 7,500 |
| 0-01-26-305-100-200 | Recycling O&E | 63,000 |
| 0-01-26-310-100-259 | PBG Maintenance of Twp Property | 10,000 |
| 0-01-26-315-100-200 | Vehicle Maintenance - O&E | 18,000 |
| 0-01-27-330-100-100 | Health S&W | 14,000 |
| 0-01-27-330-100-200 | Health O&E | 1,000 |
| 0-01-27-330-101-100 | Alliance S&W | 6,500 |
| 0-01-27-345-100-100 | Public Assistance - S&W | 4,000 |
| 0-01-28-370-100-100 | Parks & Recreation - S&W | 66,000 |
| 0-01-29-390-100-100 | Library S&W | 75,000 |
| 0-01-31-430-200-200 | Utilities - O&E | 40,000 |
| 0-01-31-435-200-271 | Street Lights Electricity | 25,000 |
| 0-01-31-440-200-200 | DPW Telephone - O&E | 13,700 |
| 0-01-31-445-200-273 | PBG - Water | 10,000 |
| 0-01-31-446-200-200 | PBG - Natural Gas | 10,000 |
| 0-01-31-455-200-274 | PBG - Sewer | 1,000 |
| 0-01-31-460-200-200 | Fuels - O&E | 30,000 |
| 0-01-36-472-200-284 | Statutory Social Security | 168,500 |
| 0-01-37-480-200-221 | Insurance Judgements/Settlements | 50,000 |
| 0-10-40-240-100-529 | Crossroads DEDR Muni Match | 6,709 |
| 0-01-40-330-100-521 | Crossroads Comm Based Muni Match | 6,468 |
| 0-01-41-240-100-524 | Crossroads Comm Based Gr Cty Sh | 25,870 |
| 0-01-41-700-108-500 | Crossroads DEDR Grant County Sh | 26,836 |
| 0-01-42-101-202-101 | Interlocal Agreement Mon Cty Shuttle Bus S&W | 1,700 |
| 0-01-43-490-100-100 | Court S&W | 16,700 |
| | | |
| | TOTAL | \$2,599,533 |

| | | |
|-----------------------------|-------------------|-----------------|
| Solid Waste District | | |
| 0-15-26-305-000-200 | SWD Disposal Fees | \$60,000 |
| | TOTAL | \$60,000 |

| | | |
|---------------------|------------------|-----|
| Swim Utility | | |
| 0-01-55-501-000-100 | Swim Utility S&W | |
| | TOTAL | \$0 |

PLEASE PUBLISH THE FOLLOWING NOTICE AND ORDINANCE WITHIN THE May 21, 2010 EDITION.

TOWNSHIP OF MIDDLETOWN
NOTICE

This is a copy of Ordinance No. 2010-3006 that was introduced at a scheduled meeting of the Township Committee of the Township of Middletown, May 17, 2010 held over for further consideration upon second reading and final passage at a meeting of the Township Committee to be held in the Main Meeting Room in the Township Hall, One Kings Highway, Middletown, on Monday, June 21, 2010 at 8:00 p.m., at which time all persons interested will be given an opportunity to be heard.

**ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE TOWNSHIP OF
MIDDLETOWN UPDATING PROVISIONS OF MANDATORY RECYCLING
PROGRAMS IN CONFORMANCE WITH THE COUNTY OF MONMOUTH'S
NJDEP APPROVED SOLID WASTE MANAGEMENT PLAN**

WHEREAS, since 1987, the Township of Middletown has had a mandatory recycling program in place; and

WHEREAS, proper management of solid waste is an important matter of public health, safety and welfare; and

WHEREAS, the source separation and recovery of certain recyclable materials will serve the public interest by conserving energy and natural resources, and reducing waste disposal expenses; and

WHEREAS, in accordance with the requirements of the New Jersey Mandatory Source Separation and Recycling Act (N.J.S.A. 13:1E-99.11 et seq.) and the updated Monmouth County Solid Waste Management Plan approved by the New Jersey Department of Environmental Protection ("NJDEP") in August 2009, the Township of Middletown must update its recycling ordinances to be in conformance with these new rules and regulations for the separation, storage, collection and recovery of designated recyclable materials.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Chapter 230 of the Code of the Township of Middletown (1996) is hereby repealed in its entirety and amended and supplemented as follows:

SECTION ONE – SOURCE SEPARATION OF RECYCLABLE MATERIALS

1. It shall be mandatory for all persons who are owners, lessees and occupants of residential property, of business and industrial properties, to separate newspaper, corrugated cardboard, clean mixed paper, aluminum cans, tin and bi-metal cans, glass bottles and jars, and pourable plastic bottles ("designated recyclables"), from all other solid waste produced by such residences and establishments, for the separate collection and ultimate recycling of such materials.
 - (a) Newspaper shall mean and include paper of the type commonly referred to as newsprint, and includes any inserts which are normally included in the newspaper. Specifically excluded are any pages of the newspaper used for household projects and crafts, such as painting or paper mache projects, or used for cleanup of wet paste.

- (b) Corrugated cardboard shall mean layered cardboard including a waffled section between the layers, of the type commonly used to make boxes and cartons. Specifically excluded are waxed cardboard and any cardboard contaminated by direct contact with food, such as pizza boxes.
 - (c) Clean mixed papers shall mean high grade bond paper, mixed coffee and school papers, such as stationary, construction paper and writing tables, including computer printouts, magazines, gift wrapping paper, soft cover books, junk mail and single layer cardboard (chipboard). Specifically excluded are carbon papers, hard cover books (unless cover and binder are removed), paper cups and plates, food wrappers or any other paper contaminated by direct contact with food products, and paper products used for personal hygiene, such as tissues.
 - (d) Aluminum cans shall mean all disposable cans made of aluminum used for food or beverages. Specifically excluded are aluminum foils, pie tins, trays, cookware and other such aluminum products.
 - (e) Tin and bi-metal cans shall mean all disposable cans made of tin, steel or a combination of metals including, but not limited to, containers commonly used for food products. Specifically excluded are cans which contain toxic products, such as paints and oils.
 - (f) Glass bottles and jars shall mean transparent or translucent containers made from silica or sand, soda ash and limestone, used for the packaging or bottling of carious products. Specifically excluded are dishware, light bulbs, window glass, ceramics and other such glass products.
 - (g) Pourable plastic containers shall mean plastic bottles where the neck is smaller than the body of the container, and is limited to plastic resin type #1 PET and plastic resin type #2 HDPE. Specifically excluded are other resin types (#2 through #7) and non-bottle plastic containers such as margarine tubs and other consumer items and packages, such as film plastics, blister packaging, boxes, baskets, toys and other such products.
2. Residences, businesses and institutions provided with recyclables collection service by municipal forces or through municipal contract shall place all designated recyclables in the appropriate containers at curbside or other areas in the manner and schedule as regularly published and distributed by the municipality. Businesses and other institutions, however, may also utilize the Township Recycling Center to dispose of mandated recyclables as if a residential unit within the Township.
- (a) Co-mingled recyclable materials, such as bottles, cans and jars, shall only be placed in a container not to exceed 32 gallons in capacity or 50 pounds in weight.
3. Any multi-family complex, business or institution not provided recyclables collection service by municipal forces or through municipal contract shall be responsible for arranging the appropriate separation, storage, collection and ultimate recycling of all designated recyclables.
4. Any multi-family complex, business or institution which is not provided recyclables collection service by municipal forces or through municipal contract shall provide the municipality with, at a minimum, an annual report describing arrangements for both solid waste and recyclables collection service, including the size, number and location of storage containers, frequency of pickup service, the names and address of any contractor hired to provide such service, and phone and other contact information for the contractor.

5. Leaves shall be kept separate from other vegetative waste, and shall only be placed for collection in the manner and schedule as shall be published and distributed by the municipality. Grass clippings shall not be placed with other materials for solid waste collection. This requirement shall not prohibit any person or establishment from making arrangements to collect leaves and grass directly from their property through their own efforts or via contract with a landscape service or other appropriate company for direct transportation to a permitted recycling operation.
6. The following bulky recyclables shall not be placed with solid waste at the curbside or in containers provided for waste collection and transportation to a disposal facility: concrete, asphalt, brick, block, tree stumps, tree limbs over three inches in diameter, metal appliances or bulk items larger than one cubic foot and/or heavier than five pounds.
7. Automotive and other vehicle or wet cell batteries, used motor oil and anti-freeze shall not be disposed as solid waste. Such items are to be kept separate from other waste materials and recyclables, and brought to local service stations, scrap yards, or publicly-operated recycling facilities designed and permitted to handle such products.
8. Common, non-rechargeable dry cell batteries, commonly labeled A, AA, AAA, C, D and 9-volt, may be disposed with regular municipal solid waste; however, rechargeable dry cell and button batteries still contain significant amounts of various toxic metals, including mercury, and shall be separated and brought to retail outlets or publicly-operated recycling facilities providing specific arrangements for the proper packaging and shipment of rechargeable and/or button batteries to appropriate processing facilities.
9. Effective January 1, 2011, computers, computer monitors, as well as analog and digital televisions, are prohibited from being placed with other solid waste for disposal. These devices shall be kept separate and brought to retail outlets or publicly-operated recycling facilities providing specific arrangements for shipment of these items to appropriate processing facilities.

SECTION THREE – OWNERSHIP OF RECYCLABLES; SCAVENGING PROHIBITED

1. All designated recyclables become the property of the municipality and/or the contracted collector once placed at the curbside, in a container provided by the contractor, or brought to and accepted at the Municipal Recycling Depot.
2. It shall be a violation of this section for any unauthorized person to pick up or cause to be picked up, any recyclable materials as defined herein. Each such collection shall constitute a separate and distinct offence.
3. Notwithstanding anything herein to the contrary, any person may donate or sell self-generated recyclable materials to any person, partnership or corporation, whether or not operating for profit. The person, partnership or corporation, however, shall not pick up the recyclable material.

SECTION FOUR – LIQUID AND HAZARDOUS WASTE EXCLUSIONS

1. No liquids of any type shall be placed with recyclables, or with solid waste for collection and disposal.
2. No chemicals, liquid paints, pesticides, herbicides, reactive polishes or cleansers, cleaning or automotive products, or other hazardous wastes shall be placed with recyclables, or with solid waste for collection and disposal.

SECTION FIVE – PROVISION AND LABELING OF RECYCLING CONTAINERS

1. All apartment and other multi-family complexes, businesses, schools and other public or private institutions shall provide separate and clearly marked containers for use by residents, students, employees, customers or other visitors, for trash and the various types of recyclables, as appropriate.
2. Any company or agency providing dumpsters, roll-off or other containers to any apartment or other multi-family complex with shared disposal and recycling areas, or to any business, school or other institution, or for any construction/demolition project, shall clearly mark such container for trash or for specific recyclables, as may be appropriate.

SECTION SIX – DEBRIS MANAGEMENT PLAN FOR CONSTRUCTION PERMITS

1. The municipality shall issue contraction and demolition permits only after the applicant has provided a Debris Management Plan identifying the estimated number and types of containers to be used for the handling of all solid wastes and recyclables generated during the project, and arrangements for the proper disposition of the generated materials.
2. A refundable deposit of \$ 50.00 to \$ 1,000.00 shall be submitted with the Debris Management Plan, which will be returned after completion of the project and submittal of appropriate records documenting the quantity and disposition of solid wastes and recyclables. Inadequate or incomplete documentation may result in the forfeiture of some or all of the required deposit.

SECTION SEVEN – APPOINTMENT OF RECYCLING COORDINATOR

1. The position of the Recycling Coordinator is hereby created and established within the Township to be appointed by the governing body for a term in accordance with applicable law.
2. The duties of the Recycling Coordinator shall include, but are not limited to: the preparation of annual or the reports as required by state and county agencies regarding local solid waste and recycling programs, reviewing the performance local schools and municipal agencies in conducting recycling activities, periodic review of local residential and business practices and compliance, review and recommendation on local subdivision and site plan submittals and local construction and demolition projects for appropriate waste disposal and recycling provisions, reports to the governing body on the implementation and enforcement of the provisions of this ordinance, the ability to negotiate contracts for the marketing of recyclable materials in the best interest of the Township, and provide such other reports and activities as may be requested by the governing body.
3. The Recycling Coordinator shall be required to comply with the Certification Requirements for the Municipal Recycling Coordinators, as established by the State of New Jersey. The Recycling Coordinator shall have completed or be in the process of completing the requirements for certification as a “Certified Recycling Professional” (CRP) no later than January 13, 2012, as required by the New Jersey Recycling Enhancement Act.

SECTION EIGHT – ENFORCEMENT

1. The duly appointed Municipal Recycling Coordinator, the Monmouth County Health Department, and Township Code Enforcement Officer are hereby jointly and severally empowered to inspect solid waste and recycling arrangements and compliance at local residences, businesses, schools and institutions, and to enforce the provisions of this Ordinance, by issuance of warnings, notices, summonses and complaints. A typical inspection may consist of sorting through containers and opening bagged solid wastes to detect the presence of recyclable materials.

2. The authorized inspector may, in his or her discretion, issue a warning rather than a summons following an initial inspection(s), with a follow up visit to determine compliance within a stated period of time.

SECTION NINE – VIOLATIONS AND PENALTIES

1. Violation or non-compliance with any of the provisions of this Ordinance, or the rules and regulations promulgated hereunder, shall be punishable by a fine as follows:
 - (a) for a first offense - \$25.00 to \$100.00
 - (b) for a second offense - \$50.00 to \$250.00
 - (c) for a third and subsequent offense - \$100.00 to \$1,500.00 and/or the performance of community service in the recycling program, for a period not to exceed ninety (90) days
2. Each day such violation or neglect is committed or permitted to continue shall constitute a separate offense and be punishable as such.
3. Fine levied and collected in Municipal Court pursuant to the provisions of this Ordinance shall be deposited into the Municipal Recycling Trust Fund. Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program.

SECTION TEN – SEVERABILITY

If any provision of this ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this ordinance, to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this ordinance are severable.

SECTION ELEVEN – EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption pursuant to law.

HEIDI R. BRUNT
TOWNSHIP CLERK

PLEASE PUBLISH THE FOLLOWING NOTICE AND ORDINANCE WITHIN THE May 21, 2010 EDITION.

TOWNSHIP OF MIDDLETOWN
NOTICE

This is a copy of Ordinance No. 2010-3007 that was introduced at a scheduled meeting of the Township Committee of the Township of Middletown, May 17, 2010 held over for further consideration upon second reading and final passage at a meeting of the Township Committee to be held in the Main Meeting Room in the Township Hall, One Kings Highway, Middletown, on Monday, June 21, 2010 at 8:00 p.m., at which time all persons interested will be given an opportunity to be heard.

**ORDINANCE AMENDING §§ 24-4 AND 28-6 OF THE CODE OF THE
TOWNSHIP OF MIDDLETOWN REGARDING ANNUAL SUBMITTAL OF
FINANCIAL INFORMATION FROM MIDDLETOWN FIRE COMPANIES,
FIRST AID AND RESCUE SQUADS AS CONDITION OF RECEIPT OF
FINANCIAL SUPPORT**

WHEREAS, pursuant to N.J.S.A. 40A:14-33 and 40A:14-34, the Township annually provides significant direct and indirect financial support in excess of \$1 million to its eleven (11) all volunteer fire companies and five (5) rescue squads which provide extraordinary services at a great savings to the taxpayers of the Township; and

WHEREAS, each of these entities, while recognized by Township ordinance, are independently incorporated non-profit organizations that own the land and buildings out of which they operate that derive revenue from various sources, including certain other activities hosted on their properties; and

WHEREAS, extraordinary economic conditions require that the Township acquire all necessary financial data to ensure the efficient expenditure of any and all public funds; and

WHEREAS, the Township Administrator had recommended that, as a condition of the receipt both direct and indirect financial support from the Township, each recognized fire company, first aid and rescue squad file a copy of its annual financial audit and statements with the Township's Chief Financial Officer in conjunction with other budgetary documents to assist in the preparation of the Township's annual budget; and

WHEREAS, upon adoption of Ordinance No. 2010-3003 it came to the Township's attention that only the largest fire departments conduct such detailed annual financial audits and that the expense for other smaller departments, first aid and rescue squads would be extraordinarily cost prohibitive, therefore, taking away from the essential services being provided; and

WHEREAS, through recent meetings with various chiefs, it was determined that the same objectives sought to be achieved under Ordinance No. 2010-3003 could be accomplished through a simplified Sarbanes-Oxley style certification rather than through a costly annual financial audit.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that §§ 24-4 and 28-6 of the Code of the Township of Middletown (1996), as amended by Ordinance No. 2010-3003, is hereby repealed in its entirety and amended as follows:

§ 24-4. Township contributions; operating budget.

- A. Subject to limits prescribed by law, each of the companies named in § 24-3 shall receive a minimum annual contribution of \$30,000 from the Township and budgeted by the Township Committee, to be paid quarterly, on the 15th day of April, July, October and December in each year, by the check or draft of the Township Chief Financial Officer or such other financial officer as may be directed by the Township Committee to make such payments. Such payments shall be made for the purpose set forth in N.J.S.A. 40A:14-34 and shall be subject to the provisions contained therein.
- B. An operating budget shall be submitted by the Fire Department to the Township's Chief Financial Officer each year for inclusion in the Township budget.
- C. As a condition of the receipt of contributions made by the Township or financing for new equipment or other capital expenditures, a duly authorized officer of each fire company with personal knowledge and responsibility for its operations and finances shall annually submit a certification prepared by the Township Administrator that provides minimal assurances at to: (1) the company's compliance with federal and state tax laws and regulations; (2) the overall financial condition of the company; (3) the proper use of public funds; and (4) certify that there are no investigations, audits or material conditions that should be disclosed in the interests of the Township's taxpayers.
- D. A waiver or extension of these requirements may only be secured with the express written permission of the Township Administrator with an explanation for the same to be provided to the Township Committee.

§ 28-6. Township contributions.

- A. Subject to limits prescribed by law, each first aid and rescue squad named in § 28-2 in operation in the Township shall receive an annual contribution as budgeted by the Township Committee to be paid quarterly, on the 15th of April, July, October and December, in each year, by check of the Township

Chief Financial Officer or such other financial officer as may be directed by the Township Committee to make such payments.

- B. Each first aid and rescue squad receiving contributions from the Township shall enter into a contract with the Township to perform first aid or rescue work in its designated territories or other areas, at the call of the Township Police Department.
- C. An operating budget shall be submitted by each first aid and rescue squad to the Township's Chief Financial Officer each year for inclusion in the township budget.
- D. As a condition of the receipt of contributions made by the Township or financing for new equipment or other capital expenditures, a duly authorized officer of each first aid or rescue squad with personal knowledge and responsibility for its operations and finances shall annually submit a certification prepared by the Township Administrator that provides minimal assurances at to: (1) the squad's compliance with federal and state tax laws and regulations; (2) the overall financial condition of the squad; (3) the proper use of public funds; and (4) certify that there are no investigations, audits or material conditions that should be disclosed in the interests of the Township's taxpayers.
- E. A waiver or extension of these requirements may only be secured with the express written permission of the Township Administrator with an explanation for the same to be provided to the Township Committee.

HEIDI R. BRUNT
TOWNSHIP CLERK

PLEASE PUBLISH THE FOLLOWING NOTICE AND ORDINANCE WITHIN THE JUNE 11, 2010 EDITION.

TOWNSHIP OF MIDDLETOWN
NOTICE

This is a copy of Ordinance No. 2010-3008 that was introduced at a scheduled meeting of the Township Committee of the Township of Middletown, June 7, 2010 held over for further consideration upon second reading and final passage at a meeting of the Township Committee to be held in the Main Meeting Room in the Township Hall, One Kings Highway, Middletown, on Monday, June 21, 2010 at 8:00 p.m., at which time all persons interested will be given an opportunity to be heard.

**ORDINANCE AMENDING SECTION § 127-21 OF THE CODE OF THE TOWNSHIP OF
MIDDLETOWN (1996) GOVERNING COPYING FEES ASSOCIATED WITH PUBLIC
RECORDS REQUESTS PURSUANT TO RECENT COURT DECISIONS**

WHEREAS, the Township of Middletown, like many other government entities, had adopted ordinances governing copying costs for public records requests based on certain rates provided in the statutory provisions of the Open Public Records Act ("OPRA") in 2002, namely N.J.S.A. 47:1A-5(b) that have been construed as maximum default rates; and

WHEREAS, recently consolidated court decisions in the matter of Smith v. Hudson County Register, 411 N.J. Super. 538 (App. Div. 2010), however, held that as of July 1, 2010, only reasonably approximated actual costs may be utilized by government entities subject to OPRA in determining what fees to charge those requesting copies of public records under N.J.S.A. 47:1A-5(b); and

WHEREAS, the Township Clerk and Attorney recommend updating the Township ordinances governing such fees to be in conformance with this recent interpretation of the law.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that § 127-21 of the Code of the Township of Middletown (1996) be and is hereby amended and supplemented as follows:

§ 127-21. Office of the Township Clerk.

The following fees, license fees and permit fees of the Township Clerk are hereby established as follows:

- A. Unless otherwise provided by law, the fees for copies of government records shall be based on reasonably approximated actual costs, excluding labor and overhead. Fees are to be arrived at by the Township Clerk based on data provided by the Township's Chief Financial Officer and/or Purchasing Agent. Reasonably approximated actual costs may be ascertained by calculating the cost of paper, toner or ink, copier leases, maintenance contracts, repair costs outside of such contracts, and other related but readily identifiable expenses associated with the operation and maintenance of copying or related equipment amortized over the course of the most recent fiscal or calendar year divided by the actual or estimated usage of**

the copying or related equipment. The data and calculations utilized to amortize such costs shall be re-examined annually to ensure reasonable accuracy. The resulting copying fees as well as the data and calculations used to arrive at such costs shall be published on the Township's website and at the Township Clerk's office. Costs associated with the production of copies of any non-standard media, such as, larger scale documents, maps, plans, photographs, books or bound publications, and forms of electronically recorded media, shall be determined on an as-provided basis based on the reasonably approximated actual costs associated with producing copies of the same. Actual postage rates will be assessed to any records sent through the mails or other private delivery service.

- B. Coin-operated washer/dryer: ten dollars (\$10) per machine.
- C. Limousine or taxicab license letter: forty-five dollars (\$45.) per vehicle.
- D. Stamp machine: five dollars (\$5.) per machine.
- E. Annual video store license fee: one hundred dollars (\$100.).
- F. Checks or negotiable instruments returned or revised for insufficient funds or errors by issuing party, for all agencies: thirty-five dollars (\$35.).
- G. Tax office:
 - (1) Duplicate tax bills: five dollars (\$5.) for the first duplicate tax bill and fifteen dollars (\$15.) for any bill thereafter, provided that such fee should not apply to advice copies of tax bills routinely forwarded to property owners.
 - (2) Duplicate tax sale certificate: one hundred dollars (\$100.).
 - (3) Mailing fee for tax sale: up to twenty-five dollars (\$25.) per individual mailing.
 - (4) Tax search: ten dollars (\$10.).
 - (5) Certificate of cancellation/redemption unpaid and endorsed tax sale certificate: twenty-five dollars (\$25.).
 - (6) Redemption recalculation: twenty-five dollars (\$25.).
- H. Notary: five dollars (\$5.) 1st page; two dollars (\$2.) each additional.
- K. ~~Township television programming:~~
 - ~~(1) Videotape reproduction.~~
 - ~~(a) One program: twenty five dollars (\$25.).~~

~~(b) Additional program on same tape: eighteen dollars (\$18.) per program.~~

~~(c) Participants: One (1) free copy.~~

~~L. Data CD copies: ten dollars (\$10.).~~

~~M. OPRA service fee: five dollars (\$5.) per every fifteen (15) minutes for change of medium.~~

~~C. Codification:~~

~~(1) Cost of Code book shall be the actual cost which is two hundred ten dollars (\$210.) per book.~~

~~(2) Cost of subscription updates shall be sixty five dollars (\$65.) per year.~~

~~D. Cassette tape or CD of Committee meetings: twenty five dollars (\$25.) per meeting (cassette); seven dollars (\$7.) (CD).~~

~~F. Photocopy fees:~~

| Number of | Issuing | Fee |
|----------------------|--------------------|-----------------------|
| Pages | Agency | (per page) |
| 1 to 10 | All | \$0.75 |
| 11 to 20 | All | 0.50 |
| 21 and up | All | 0.25 |

~~H. Map: (Township) five dollars (\$5.); (voting district) seven dollars (\$7.).~~

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION No. 10-48

ESTABLISHING STANDING RULES

WHEREAS, Article 2-6 (d) provides for the Township Committee to establish rules of order for Township meetings; and

WHEREAS, it is the desire of the Township Committee to provide for effective and productive township meetings, to hear from its residents in a timely manner, and to conduct the large volume of township business within the time constraints available at public meetings in a more orderly, productive manner.


NOW, THEREFORE, BE IT RESOLVED that the attached Standing Rules for Regular Meetings of the Township Committee be established, adopted, and utilized as rules of order governing the conduct of regular meetings of the Township Committee.

| Committee Member | Approved | Opposed | Abstain | Absent |
|-------------------|----------|---------|---------|--------|
| P. Brightbill | ✓ | | | |
| S. Byrnes | ✓ | | | |
| A. Fiore | ✓ | | | |
| S. Massell | ✓ | | | |
| G. Scharfenberger | ✓ | | | |

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held January 3, 2010.

WITNESS, my hand and the seal of the Township of Middletown this 3rd day of January, 2010.


HEIDI R. BRUNT
TOWNSHIP CLERK

**STANDING RULES FOR REGULAR MEETINGS
OF THE TOWNSHIP COMMITTEE**

1. The Mayor or other Committeeperson acting as the Mayor shall act as the Chair.
2. Any persons desiring to speak on either an ordinance or during the public comment section shall raise their hand and must be recognized by the Chair before speaking. All comments by the members of the public shall be made from the podium after first having been recognized by the Chair.
3. As to public hearings on an ordinance, all persons recognized to speak may speak for a maximum of five minutes.
4. As to the public comment portion of the meeting, all persons recognized to speak may speak once for a maximum of five minutes.
5. Any speaker who exceeds these time limits shall be ruled out of order and subject to removal. Each five minute period is personal to each speaker and made not be ceded to another person. No profanity shall be permitted. Any person who uses profanity may be ruled out of order and subject to removal.
6. Questions or comments of the public should be directed to the Township Committee. If appropriate, the Chairperson may direct and recognize a staff employee or professional of the Township to respond. The Chair may request that any question asked of the Township Committee or its staff or professionals which, due to its complexity or need for research or factual investigation cannot be answered immediately, be placed in writing by the inquirer and directed to the appropriate Township official and that an answer be provided to the inquirer as soon as possible.
7. Any of these Standing Rules may be suspended for a particular matter by vote of a majority of the Township Committee present at the meeting.